

REMARKS

Claims 1 and 3-7 and 9-11 are pending in this application. All of the claims were rejected in a Final Office Action dated August 4, 2008. Applicants respectfully request that the previously submitted November 3, 2008 Amendment Under 37 C.F.R. §1.116 be entered, as well as the present Amendment. Applicants respectfully request withdrawal of the outstanding rejections and allowance of the application in view of the following remarks, as well as those previously presented.

Claim Rejections Under 35 U.S.C. § 103

In the August 4, 2008 final Office Action and in the November 18, 2008 Advisory Action, claims 1, 3-5 and 8-15 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Yoshiyuki et al. (JP 63-302950) in view of Kaneko et al. (U.S. Patent Application Publication No. 2001/0053467) and Noguchi et al. (U.S. Patent No. 4,237,030). Claims 6-7 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Yoshiyuki et al., Kaneko et al. and Noguchi et al. as applied to claim 1, and further in view of JP 11-26263. Applicants respectfully request reconsideration and withdrawal of these rejections and allowance of the claims.

Applicants respectfully submit that the claims were previously clear with respect to the “mixture” subjected to heat treatment referring to the mixture of pre-crystallization composition and a powder of theta-alumina and/or alpha-alumina, which results in a catalyst having noble metals supported on the perovskite-type composite oxide. Thus, in the catalysts resulting from

the present methods, the noble metals are in the crystal structure of the perovskite-type composite oxide.

The Advisory Action indicates that the Examiner does not consider the claims to specifically recite that the mixture is necessarily of a pre-crystallization composition of elementary components and a powder of theta-alumina and/or alpha-alumina. Accordingly, to advance prosecution of the present application, claim 1 is amended herein to recite “whereby, the perovskite-type composite oxide containing the noble metal is supported on theta-alumina and/or alpha alumina”. This amendment is supported, *e.g.*, on page 40, lines 16 to 24 of the present specification. This amendment clarifies that the structure resulting from the present methods (in which noble metals are in the crystal structure of the perovskite-type composite oxide, and are supported on perovskite-type composite oxide) is different from the structure resulting from Yoshikuki (in which noble metals are supported on **both** perovskite-type composite oxide and alumina). The amendment further clarifies the effect that the present methods can allow a noble metal to be stably contained in a perovskite-type composite oxide, and, remarkably increase the thermostability of the perovskite-type composite oxide by theta-alumina and/or alpha-alumina.

For at least the reasons indicated herein, and in previous Amendments, Applicants respectfully request that the Examiner reconsider and withdraw the present rejections and allow the application.

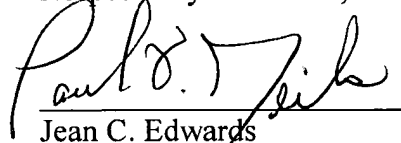
If the Examiner believes that there is any issue which could be resolved by a telephone or personal interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.114
U.S. Application No.: 10/520,520

Atty Dkt No.: 71465.0011
Customer Number 57362

Applicants hereby petition for any extension of time that may be required to maintain the pendency of this case, and any required fee for such an extension is to be charged to Deposit Account No. 50-0951.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Paul F. Neils", is written over a horizontal line.

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